ORDERS TAken, and enacted, for ORPHANS and their porcions.

Anno. M. D. LI.

¶ *Orders enacted.*

AD Commune concilium, tẽtum in Guildhaldia ciuitatis Londini, xiii. die Octobris, Anno regni Eduardi sexti, Dei gratia Angliæ, Franciæ, & Hiberniæ Regis, fidei defensoris, & in terra Ecclesiæ Anglicanæ, & Hibernicæ supremicapitis, quinto: coram Andrea Iudde milite, tunc Maiore, & Aldermannis Ciuitatis illius, ordinata sunt inter alia, inactitata, cõcessa, & stabilita, omnia & singula subsequentia.

FOrasmuch as the citie of London, is of late yeres sore decayed, and dayly is lyke to decaye, more and more. A great cause and occasion whereof emong other, hathe bene, for that frœmens children, (Orphanes of the sayd Citie) sometymes

in the liues of their Parents, & some-
times after their diſceaſes, beinge left
welthy, & rych, doo beſtow themſelues
in vngodly Mariages, for the moſte
part in their yong age, at their owne
willes, and pleaſures, without the con
ſent, and againſte the mindes of theyr
friends, ſaying, and affirming, that the
Law, and cuſtome of the ſayde Citie
giueth vnto them their porcions, whe-
ther they marye by the aſſent of theyr
friendes or not, and ſo doo dayly caſt a-
way, and vndo them ſelues, in truſt to
haue theyr ſayde porcions, whether
their Parentes, or friends will, or wyl
not. And therby doe they beſtow them
ſelues vpon ſimple, and lyght perſons
hauing neyther cunning, knowledge,
ſubſtaunce, ne good, or honeſt condicy-
ons. By reaſon whereof ſuche Or-
phanes, inordinately, and inſolently,
doe ſpende, and conſume their patry-
mony, and porcions, in ſhort tyme, not
onely to the vndoinge of themſelues,
and

and to the great ignominie and shame of their friendes, but also to the great sclaundre of the Lord Maior, and Aldremen of this citie (who bene reputed, and taken as Fathers, and Protectours, of the same Orphanes) and to the great losse, and hinderaunce of ỹ sayde Citie.

And forasmuch as the sayde Lorde Maior, and Citezienes haue by theyr lawes, and customes, power, and auctho̅itie, to make lawes, and ordinaunces, by their commune counsail, for redresse of the same. It is therfore now (to thintent to reduce ỹ same to a more godly, more profitable, and decent ordre, and conformite) by the sayde Lord Maior, & Comminalte, and Citizens, in this present commune counsaill assembled, and by auctho̅itie of the same commune Counsaill, ordeyned, enacted, aucthorized, and established, for a Lawe perpetually to be obserued and kept within the sayde Citie. That if a-

ny Orphane, or childe of any free man or free woman, of the saide Citie doo offende in any the thinges hereafter expressed, and be therof lawfully conuicted, afore the Lorde Maior and the Aldermen or els where, that then they and euery of them, shall to all ententes purposes, constructions & meaninges, be vnabled and barred to demaunde and claime their portion or portions, & also shall lose and forgo & be barred for euer, of all and euery his, her, or their parte or parts, and portions to him or them belonging, by and after the death of his or their said father or mother, of the goodes and Cattalles, of euery such father and mother, by reason of any Lawe, custome, ordinaunce, vsage, fraunches, priuilege, act of Commune counsaile, or other thing, hertofore had or vsed, within the saide Citie. The same Lawe, Custome, Ordinaunce or other thinge whatsoeuer, heretofore had, made, ordeined, allowed, and put

in

in bꝛe, to the contrarye in anye wyſe notwithſtandinge. That is to witte. Firſt, if any manchild, oꝛ womanchild, ſhall malitiouſly go about, oꝛ attempt to dꝛw, oꝛ cauſe to be done, any bodely harme, deathe, oꝛ deſtruction to his oꝛ their Father, oꝛ Mother: Oꝛ if any manchilde, dꝛw hereafter mary, oꝛ contract mariage, in the lyfe of his father, oꝛ mother (by whome he will clayme any pozcion) vnder the age of xxi. yeares, without the conſent of his ſayde Father, oꝛ Mother, by whome hæ wyll clayme anye pozcion: Oꝛ if any Womanchilde, dꝛwe hereafter Marye, oꝛ contracte Mariage, in the lyfe of her father, oꝛ other parent, by whom ſhe ſhall claime anye Pozcion, befoꝛe the age of. xviii. yeares, without the conſent of hir Father, oꝛ ſuche other Parent by whome ſhæ ſhall oꝛ may claime any pozcion: Oꝛ if anie Man childe bæ a Thiefe, oꝛ a Fellon, oꝛ a

common whore haunter, a commune Dysar, or a common player at vnlawfull games notoriously knowen: Or if any womanchilde shall hereafter commit any whoredome, or be a common Picker, that then euery of ỳ persones so offending, shalbe barred & excluded to haue, or demaunde any porcion.

¶ Prouided alwayes, that it shalbe lawfull, for the Father, or Mother of any such childe, or children, to geue and bequeth in Legacie, to suche Childe, or Children, as muche as the Porcion of such child so offending shall amount vnto, by the custome of the sayde citie, and then suche childe thereby to be enabled to haue, and demaund ỳ same, as Porciõ, this Acte, notwithstanding, so that the same legacy be conteined in his, or their testament in writing & not otherwise. And that then and from thencefurth his sayd child, or childrẽ, to be admitted, and restored to clame suche legacie, or legacies, in suche sorte maner

and

and forme, as if ther had ben neuer a-
ny suche offence done, or committed by
any such childe.

Item, it is further ordeyned, enac-
ted, auctorized, and established, by
thauthorite aforesayde, that if any wo-
manchilde, being an Orphane, and un
der the age of .xxi. yeares, at any tyme
hereafter, after the death of hir father,
do ensure or contract hir selfe in Ma-
riage, or els according to the Eccle sia-
sticall Lawes of this Realme, do per-
fectly solempnize or consumate Mari-
age, with any free man of this Citie,
the consent and agrement of the Lord
Maior, and Aldermen of this sayde
Citie of London, for the tyme beinge,
not obteyned and had, that then for e-
uery such default and offence committ-
ted or done, by any Orphane or Or-
phanes, of the sayde Citie, the same
being confessed or sufficiently proued
by two witnesses or otherwise before
the sayde Lord Maior, and Aldermen

of this sayde Citie of London, for the tyme being, at and in a Courte of Aldermen, she or they that so happen to behaue hir or themselues, as is aforesayd, shall forfeit, forgo, and lose. ii. d. of and for euery pound, so due or to be due, vnto her, or them, by reason of any such Orphanage, the summe of. xii. d. of euery. li. to go, or be, to the vse of the Chamber of the sayd Citie, accordinge to the auncient custome before this tyme, in such case vsed. And if the sayde Contract or mariage of the sayde Orphan, or, Orphans, be made with anye forein, not beinge free of this Citie, at the tyme of any such contract, or mariage made, that then the sayd Orphan, or Orphans and euery of them shall forfaite and lose. iii. s. of euery pounde, or to be due vnto hir, or them, by vertue of any Orphanage, or custome, had and vsed, within the sayde Citie. The one shilling of the saide. iii. s. of euerie pounde, to go, or to be, to the vse of the

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Chamber of the sayde Citie, in suche maner and fourme as is afore sayde. And the other .ii.s. so forfayted of euery pound, to go to the vse of such other Orphane, or Orphanes, as then shall remaine vnmaried. Or els for default of such Orphanes, or Orphane, to remaine to the next of the kinred of the Orphane so offending.

¶ Also be it further ordeined, enacted, and established by auctorite afore sayd, for, and in eschuing of diuerse variances, contencions, and sutes, that dayely heretofore haue, and hereafter may ensue: that if any free mans child, man, or woman, fortune to be maryed hereafter, in the lyfe tyme of his, or their father, by his consent, and not fully aduaunced of, and to, his, or her full parte, or porcion, of his, or her, sayde Fathers goodes, as he shalbe worthe at the tyme of hys dyscease, accordynge to the auncient Lawes, and Customes,

Customes, of this sayd Citie: that then euery such Free mans childe, so beyng maryed in the life tyme of his, or her Father shalbe to all intentes, and purposes, disabled to demaunde any further parte, or porcion, of hys or her fathers goods, after the discease of his, or her father, but shalbe adiudged, reputed and taken to be fully aduanced, according as the Lawe and Custome of this Citie hath bene long tyme oute of minde, except his or hir sayd father, do mencion certeinly, in his laste wyll, or testament, or by other wryting signed with his owne proper name, or Mark the certeinty of the some or sommes of money, goods, and cattalles, & the value of them, that the father gaue, payed or departed with all, or otherwyse assured or hereafter shall giue, paye, depart with all, or otherwyse make assurance of, vnto him, or her, before at or after the mariage of him or hir or otherwise in his lyfe tyme, for and towards

wardes their aduauncementes, in the name of his or her part, or porcion. And then euery such Orphane, or child which after the decease of his or her sayd Father, can bring furth the sayde Testament or other wryting signed or marked with ỹ fathers hand or mark, wherein the certeintie of such money, goods, or Cattalles, as they haue or shall haue, receyued of theyr sayd Father, or by the same Father, assured by especialtie, or otherwise, shall haue asmuch of the ready money, goods, cattalles, and debtes of the sayde father, as (with that which he, or they shall haue receyued towards their aduãce mentes, in the lyfe of theyr said father) shall make vp a full childes parte, of his goods, and Cattalles, as he shalbe worth, at the tyme of hys decease. The same to be demaunded, asked, & claymed, or sued for, against the Executor, or executours, administratour, or administratours, of the goods, and Cattalles

talles of the sayde father, by byll Original, to be commenced in our soueraigne Lorde the kinges court, holden in the outter chamber of the guild hal, of the sayde Citie, before the said lorde Maior and Aldermen of the same citie for the time being, any lawe, or custome, heretofore made, or vsed to the contrary, notwithstanding. In which action, no wager of Law, or Essoine, shalbe admitted, or allowed.

¶ Prouided alway, and it is further enacted, that if any free mans sonne, being of full age, (which shall hereafter be maried with the consent of his father, or any other person, being of ful age, which shall hereafter mary anye free mans daughter) dwe at the tyme of the espousailes, or at any time after, confesse them selues, by writing fully satisfyed of his, or their portion, or dw otherwyse acquite and discharge, the Father of suche free mans sonnes, or doughters, of all their parte and por-

cion

cion, due, or to be due, by the Lawe and custome of the Citie, that then euery such person, so confessinge, acquytting, or otherwise dischardinge, shalbe reputed, and taken, as fully aduaunced, of his, or their whole part, or porcion, and shall not be enabled, to demaunde any further, or greatter parte of the substaunce, goods, and cattalles, of his or her Father: this Law, or any other Lawe or Custome heretofore had, made, or vsed to the contrary, notwithstanding.

And further, forasmuche as it is thought very preiudiciall, and hurtful to the fatherlesse children and Orphanes, when the mother, or mother in lawe, being executrix of the laste wyll, and Testament of her late husbande, by whome, and after whose death, the Orphanes are entituled to an Orphanage, (accordinge to the sayde laudable customes of this Citie) doe dyuers tymes marye or Contracte matrimo-

matrimony, some with forreiners and persones vnknowen, and some wyth Frœmen, or euer a iust inuentory of the goods, cattalles, plate, Iuelles, ready money of the Testatours, be by thē brought in: By reason whereof many tymes they, (either for feare or affection of their husbands, or for some other sinistre cause,) do bring in very suspicious Inuentories, omitting therin either ready money, Plate, Iuelles, or debtes, or some other thing, or thyngs, wherby some benefite should redound to the fatherlesse children, to the greate losse, and hinderaunce of the Orphans and some tyme, slaundre to the Lorde Maior, and Aldermen of this Citie, notwithstanding their great care, and trauaill that they take for the good ordering, and true answering of the sayd Orphanes:

It is therfore, by like authoritie, ordeined, established, and enacted, that if after the fyrst day of Nouembre next ensuing

ensuing, any Widowe, which is, or shal be made executrix of the Testamente and last will of hir late husbande, (being a free man) or shall take vpon her thadministracion of the goods, and cattalles, of her late husbande (beinge a free man) do not vpon her othe, bringe in, and exhibite, or cause to be brought in, and exhibited, before the Lord Mai or, and Aldermen of this sayd citie, for the time being, at, and in a court of Aldermen, a iust, and perfect Inuentory, (to their knowledge,) of al the goodes, cattalles, plate, & Iuelles, ready money, and debtes, as were her sayd husbands, at the time of his death, appraysed according to the lawe of the sayd citie, before she do ensure her self in mariage, or contracte mariage, or els according to the lawes of the Realme, do perfectly solempnise, or consūmate mariage with any personne, before suche time as aforesayd, that then euery person so offending, shall forfaict and lose,

viii.s. of euery pounde, of her porcyon, of the goodes of her late husbande, due to her by the laudable custome of thys sayde Citie, the same to go to the vse of suche Orphane, or Orphanes, as then shalbe entituled to haue, or demaunde any Orphanage, or porcion, after the deathe of his, or her late Father, the same to be demaunded, asked, claimed or sued for, againste suche executrix, or administratix by bill originall of debt, to be commenced, in our Souereigne Lord the kings Courte, holden in the otter Chamber of the Guild hal, of the sayd citie, before the Lord Maior, and Aldremen of the same Citie, for the tyme being, any Law. &c.

In which Action, no wager. &c.

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